



**CITY OF NEW ORLEANS  
BOARD OF ZONING ADJUSTMENTS**

**Regular Meeting Agenda  
Monday, March 11, 2013  
10:00 a.m. City Council Chambers,  
1300 Perdido Street, New Orleans, Louisiana**

**This is a draft agenda.**

**The requested waivers are subject to change prior to the hearing.**

**The deadline for submitting letters of support or objection is the Wednesday prior to the meeting, March 6<sup>th</sup> at 5:00 p.m.**

**A. Call to Order and Roll Call, Adoption of Minutes, Communications, and Reading of Hearing Rules**

**B. BZA Dockets – Old Business**

**ITEM 1 – Docket Number:** 004-13 **SK**  
**Applicant or Agent:** Ryan & Merisa Pasternak  
**Property Location:** 3042 Ursulines Avenue **Zip:** 70119  
**Bounding Streets:** Ursulines Ave., N. Salcedo, Dumaine, & N. Lopez Sts.  
**Square Number:** 409 **Lot:** A  
**Zoning District:** RD-2 Two-Family Residential **ZBM:** C-12  
**Historic District:** Esplanade Ridge Local Historic **Planning District:** 4  
**Existing Use:** Single-Family Residence and Vacant Single-Family Residence  
**Proposed Use:** Two Single-Family Residences

**Request Citation:** This request is for a variance from the provisions of Article 1, Section 1.4 of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the re-establishment of a second main use on one lot of record.

**Requested Waivers:**

**Section 1.4 – Location on a Lot**

Permitted: 1 Main Use      Provided: 2 Main Uses      Waiver: 2 Main Uses

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**ITEM 2 – Docket Number:** 014-13 **DIS**  
**Applicant or Agent:** Uptown Acquisitions, LLC  
**Property Location:** 4800 Magazine Street **Zip:** 70115  
**Bounding Streets:** Magazine St., Bordeaux St., Constance St., & Lyons St.  
**Square Number:** 198 **Lot:** A  
**Zoning District:** B-2 Neighborhood Business **ZBM:** B-15  
**Historic District:** N/A **Planning District:** 6  
**Existing Use:** Veterinary Office  
**Proposed Use:** Restaurant

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit conversion of a veterinary office into a restaurant with insufficient off-street parking.

**Requested Waiver:**

**Section 15.2.1 (Table 15.A) – Off-Street Parking**

Required: 8 Spaces      Proposed: 0 Spaces (6 Grandfathered)      Waiver: 2 Spaces

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**ITEM 3 – Docket Number: 024-13**  
**Applicant or Agent:** Dennis and Helen Rubion  
**Property Location:** 353 Walnut Street **Zip:** 70118  
**Bounding Streets:** Walnut St., Perrier St., & Prytania St.  
**Square Number:** 39 **Lots:** 3, 4, 5  
**Zoning District:** RS-2 Single-Family Residential **ZBM:** A-14  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single Family Residence  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.3.7 (Table 4.C) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of an addition to a single-family residence with insufficient minimum depth of rear yard.

**Requested Waiver:**

**Section 4.3.7 (Table 4.C) – Depth of Rear Yard**

Required: 20’ Proposed: 8’ Waiver: 12’

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**ITEM 4 – Docket Number: 025-13** **DIS**  
**Applicant or Agent:** 727 Nashville, LLC  
**Property Location:** 727 Nashville Avenue **Zip:** 70115  
**Bounding Streets:** Nashville Ave., Magazine St., Arabella St., & Constance St.  
**Square Number:** 25 **Lot:** 7  
**Zoning District:** B-2 Neighborhood Business **ZBM:** A-15  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.3, and Section 15.2.5.1(b) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit off-street parking located in the required front yard setback and off-street parking that does not meet the minimum depth of stall design standards. **(AFTER THE FACT)**

**Requested Waiver:**

**Section 15.2.3 – Parking in Front Yards**

Permitted: Not Permitted Provided: 1 Space Waiver: 1 Space

**Section 15.2.5.1(b) – Design Standards (Parking Stall Depth)**

Required: 18’ Proposed: 12’ Waiver: 6’

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**ITEM 5 – Docket Number:** 029-13 **DG**  
**Applicant or Agent:** 713, 715 and 717 St. Ann Street, LLC  
**Property Location:** 713, 715 and 717 St. Ann Street **Zip:** 70116  
**Bounding Streets:** St. Ann, Royal, Dumaine and Bourbon Streets  
**Square Number:** 58 **Lot:** 26  
**Zoning District:** VCC-1 Vieux Carré Commercial **ZBM:** D-14  
**Historic District:** Vieux Carré **Planning District:** 1b  
**Existing Use:** Vacant Multi-Family Residential  
**Proposed Use:** Multi-Family Residential (six units)

**Request Citation:** This request is for variances from the provisions of Article 8, Section 8.4.7 (Table 8.C) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the redevelopment of a vacant building into a 6-units multi-family residential development with insufficient minimum lot area per dwelling unit and insufficient open space ratio.

**Requested Waivers:**

**Section 8.4.7 (Table 8.C) – Minimum Lot Area per Dwelling Unit Requirement**

Required 600 sq. ft.                      Provided: 496 sq. ft.                      Waiver: 104 sq. ft. (17%)

**Section 8.4.7 (Table 8.C) – Minimum Open Space Ratio (OSR)<sup>1</sup>**

Required: 30% (893 sq. ft.)              Proposed: 19% (568 sq. ft.)              Waiver: 2% (48 sq. ft.)<sup>2</sup>

*Existing 21% (616 sq. ft.)*

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<sup>1</sup> Open Space Ratio. The open space on the lot divided by the floor area of all buildings on the lot. *CZO, Article 2, Section 2.2 (138) Definitions*

Floor Area. The sum of the gross horizontal areas of all floors of a building(s)... including balconies and galleries, open and enclosed porches, stairways... (*paraphrase Article 2, Section 2.2 (78) Definitions*)

<sup>2</sup> The variance is the difference between the existing, grandfathered OSR and the proposed OSR

**C. Director of Safety and Permits Decision Appeals – Old Business**

**None**

**D. BZA Dockets – New Business**

**ITEM 6 – Docket Number:** 031-13 **DT**  
**Applicant or Agent:** Richard Stancliffe  
**Property Location:** 220 Roselyn Park Place **Zip:** 70131  
**Bounding Streets:** Roselyn Park Pl., Gen. Meyer Ave., Ellen Park Pl., & Patterson Dr.  
**Square Number:** A **Lot:** 11-A  
**Zoning District:** RS-2 Single-Family Residential **ZBM:** E-16  
**Historic District:** N/A **Planning District:** 12  
**Existing Use:** Single-Family Residence  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.3.7 (Table 4.C) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a porch that encroaches into the required front yard area.

**Requested Waiver:**

**Section 4.3.7 (Table 4.C) – Minimum Depth of Front Yard**

Required: 20' (18' existing)      Provided: 10'      Waiver: 8'

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**ITEM 7 – Docket Number:** 032-13 **MDO**  
**Applicant or Agent:** Reconcile New Orleans, Inc.  
**Property Location:** 1631 Oretha Castle Haley Boulevard **Zip:** 70113  
**Bounding Streets:** O.C. Haley Blvd., Euterpe, S. Rampart, & Terpsichore Sts.  
**Square Number:** 282 **Lots:** A-1 & B-1  
**Zoning District:** C-1 General Commercial **ZBM:** C-14  
**Historic District:** Local Historic Building **Planning District:** 2  
**Existing Use:** Restaurant  
**Proposed Use:** Restaurant and Offices

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit a waiver of one (1) parking space in addition to the sixteen (16) spaces that were waived under BZA Docket 085-11.

**Requested Waiver:**

**Section 15.2.1 (Table 15.A) – Off-Street Parking**

Required: 52 Spaces      Provided: 23 Spaces      Waiver: 1 Space

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**ITEM 8 – Docket Number:** 033-13 **KC**  
**Applicant or Agent:** Brian Gibbs  
**Property Location:** 1008 Soniat Street **Zip:** 70115  
**Bounding Streets:** Soniat, Camp, Dufossat, & Chestnut Sts.  
**Square Number:** 253 **Lots:** B & C  
**Zoning District:** RD-3 Two-Family Residential **ZBM:** B-16  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence  
**Proposed Use:** Single-Family Residence w. Accessory Structures

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(1), Article 15, Section 15.5.12(3), and Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of two (2) accessory structures in the corner lot side yard area one that is located not beyond forty feet (40') of the front lot line, both with insufficient corner lot side yard, and both with excessive height.

**Requested Waivers:**

**Section 15.5.12(1) – Accessory Buildings (Side Yards – Distance from Front Lot Line)**

Required: 40' Proposed: 34' 4" Waiver: 6' 8"

**Section 15.5.12(3) – Accessory Buildings (Corner Lots – Distance from Property Line)**

Required: 10' Proposed: 3' Waiver: 7'

**Section 15.5.12(4) – Accessory Buildings (Height)**

Required: 14' Proposed: 16' 4" Waiver: 2' 4"

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**ITEM 9 – Docket Number:** 034-13 **EA**  
**Applicant or Agent:** Tonja Koob  
**Property Location:** 545-549 Washington Avenue **Zip:** 70130  
**Bounding Streets:** Washington Ave., St. Thomas, 4<sup>th</sup>, & Rousseau Sts.  
**Square Number:** 50 **Lot:** A & B (Proposed Lot A-1)  
**Zoning District:** RD-3 Two-Family Residential **ZBM:** C-15  
**Historic District:** Irish Channel Local Historic **Planning District:** 2  
**Existing Use:** Vacant Lot  
**Proposed Use:** Vacant Lot

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the creation of a lot with insufficient minimum lot area and minimum lot width (Subdivision Docket 166/12).

**Requested Waivers:**

**Section 4.6.7 (Table 4.F) – Minimum Lot Area**

Required: 3,600 sq. ft. Provided: 2,045 sq. ft. Waiver: 1,555 sq. ft.

**Section 4.6.7 (Table 4.F) – Minimum Lot Width**

Required: 30' Provided: 22.2' Waiver: 7.8'

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<b>ITEM 10 – Docket Number:</b>	<b>035-13</b>	<b>JT</b>
<b>Applicant or Agent:</b>	Karen C. Whitaker	
<b>Property Location:</b>	1828-1830 O'Reilly Street	<b>Zip:</b> 70116
<b>Bounding Streets:</b>	O'Reilly, N. Roman, Aubry, & N. Prieur Sts.	
<b>Square Number:</b>	906	<b>Lot:</b> B ½
<b>Zoning District:</b>	RD-3 Two-Family Residential	<b>ZBM:</b> D-13
<b>Historic District:</b>	N/A	<b>Planning District:</b> 4
<b>Existing Use:</b>	Vacant Lot	
<b>Proposed Use:</b>	Two-Family Residence	

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a two-family residence with insufficient minimum lot area, insufficient minimum front yard depth, and insufficient off-street parking.

**Requested Waivers:**

**Section 4.6.7 (Table 4.F) – Minimum Lot Area**

Required: 3,600 sq. ft.	Provided: 1,885 sq. ft.	Waiver: 1,715 sq. ft.
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**Section 4.6.7 (Table 4.F) – Minimum Depth of Front Yard**

Required: 20'	Provided: 10'	Waiver: 10'
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**Section 15.2.1 (Table 15.A) – Off-Street Parking (Two-Family)**

Required: 2 Spaces	Provided: 0 Spaces	Waiver: 2 Spaces
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**ITEM 11 – Docket Number:** 036-13 **DS**  
**Applicant or Agent:** Traçage Development, LLC  
**Property Location:** 1100 Annunciation Street **Zip:** 70130  
**Bounding Streets:** Annunciation St., John Churchill Chase St., Gaiennie St., Pontchartrain Expy.  
**Square Number:** 70-A **Lot:** L-1-A  
**Zoning District:** CBD-9 Central Business District **ZBM:** C-15  
**Historic District:** Warehouse District Local Historic **Planning District:** 1A  
**Existing Use:** Parking Lot  
**Proposed Use:** Mixed-Use Commercial/ Residential

**Request Citation:** This request is for variances from the provisions of Article 6, Section 6.10.7 (Table 6.J) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a mixed-use building that will exceed the existing average street façade height within thirty (30) feet of a street line and insufficient required open space.

**Requested Waivers:**

**Section 6.10.7 (Table 6.J) – Maximum Height within Thirty (30) Feet of a Street Line**

Required: 41' 3"<sup>3</sup> Proposed: 170' Waiver: 128' 9"

**Section 6.10.7 (Table 6.J) – Required Open Space Ratio**

Required: .10 Proposed: .036 Waiver: .064

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<sup>3</sup> The maximum allowable height within thirty (30) feet of a street line shall not exceed the average of existing street façade heights on the three (3) closest block faces. The average façade height along the closest three (3) block faces is 41'3".

**ITEM 12 – Docket Number: 037-13** **CM**  
**Applicant or Agent:** Pontchartrain Park CDC Real Estate Holdings, LLC  
**Property Location:** 4000 Athis Court **Zip:** 70126  
**Bounding Streets:** Athis Ct., Providence Pl., Prentiss Ave., & Campus Blvd.  
**Square Number:** 28 **Lot:** 36  
**Zoning District:** RS-2 Single-Family Residential **ZBM:** E-11  
**Historic District:** None **Planning District:** 6  
**Existing Use:** Vacant Lot  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.3.7 (Table 4.C) and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a single-family residence with insufficient minimum depth of rear yard and insufficient off-street parking.

**Requested Waivers:**

**Section 4.6.7 (Table 4.F) – Minimum Depth of Rear Yard**

Required: 20’                      Provided: 8.2’                      Waiver: 11.8

**Section 15.2.1 (Table 15.A) – Off-Street Parking (Single-Family)**

Required: 2 Spaces                      Provided: 1 Space                      Waiver: 1 Space

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**ITEM 13 – Docket Number: 038-13** **MDO**  
**Applicant or Agent:** Cora R. Charles  
**Property Location:** 1712-1714 Engania Street **Zip:** 70117  
**Bounding Streets:** Engania, N. Derbigny, Lazardi, & N. Roman Sts.  
**Square Number:** 812 **Lot:** 15  
**Zoning District:** RM-2 Multi-Family Residential **ZBM:** E-14  
**Historic District:** None **Planning District:** 8  
**Existing Use:** Two-Family Residence  
**Proposed Use:** Accessory Use (Fellowship Hall)

**Request Citation:** This request is for variances from the provisions of Article 1, Section 1.4 of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the conversion of a two-family residence into an accessory use (fellowship hall) without a main use on the lot of record.

**Requested Waiver:**

**Section 1.4 – Location on a Lot**

Required: 1 Main Use                      Provided: No Main Use                      Waiver: Main Use

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**ITEM 14 – Docket Number: 039-13 DS**  
**Applicant or Agent:** Lucy Car  
**Property Location:** 6437 Colbert Street **Zip:** 70124  
**Bounding Streets:** Colbert, Lane, Louisville, & Bragg Sts.  
**Square Number:** 220 **Lots:** 13 & 14  
**Zoning District:** LRS-1 Lakeview Single-Family Residential  
**Historic District:** None **ZBM:** C-10  
**Existing Use:** Vacant Lot **Planning District:** 5  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.9(4) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a single-family residence with an attached carport located less than two feet (2') from the side lot line.

**Requested Waiver:**

**Section 15.5.9(4) – Side Yards (Carport – Distance from Side Lot Line)**

Required: 2'                      Provided: 0'                      Waiver: 2'

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**ITEM 15 – Docket Number: 040-13 MDO**  
**Applicant or Agent:** Stan & Mary Lynn Cyitanovic  
**Property Location:** 6332 Canal Boulevard **Zip:** 70124  
**Bounding Streets:** Canal Blvd., Harrison Ave., Louis XIV & Bragg Sts.  
**Square Number:** 231 **Lots:** 35, 36, pt 37  
**Zoning District:** LRS-1 Lakeview Single-Family Residential  
**Historic District:** None **ZBM:** C-11  
**Existing Use:** Single-Family Residence **Planning District:** 5  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 9A, Section 9A.1.8(3) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit a driveway in the front yard setback **(AFTER THE FACT)**.

**Requested Waiver:**

**Section 9A.1.8(3) – Special Parking and Driveway Requirements (Driveways)**

Required: Not within the front yard setback

Provided: Within the front yard setback

Waiver: Within the front yard setback

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**ITEM 16 – Docket Number:** 041-13 **LF**  
**Applicant or Agent:** Ninth Ward Housing Development Corp.  
**Property Location:** 2202-2204 Deslonde Street **Zip:** 70117  
**Bounding Streets:** Deslonde, N. Miro, Jourdan, & N. Tonti Sts.  
**Square Number:** 1137 **Lot:** 22  
**Zoning District:** RD-3 Two-Family Residential **ZBM:** E-13  
**Historic District:** None **Planning District:** 8  
**Existing Use:** Vacant Lot  
**Proposed Use:** Two-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a two-family residence with off-street parking located in the required front yard area.

**Requested Waiver:**

**Section 15.2.3 – Parking in Front Yards**

Permitted: 0 Spaces                      Proposed: 2 Spaces                      Waiver: 2 Spaces

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**ITEM 17 – Docket Number:** 042-13 **LF**  
**Applicant or Agent:** Ninth Ward Housing Development Corp.  
**Property Location:** 2206-2208 Deslonde Street **Zip:** 70117  
**Bounding Streets:** Deslonde, N. Miro, Jourdan, & N. Tonti Sts.  
**Square Number:** 1137 **Lot:** 21  
**Zoning District:** RD-3 Two-Family Residential **ZBM:** E-13  
**Historic District:** None **Planning District:** 8  
**Existing Use:** Vacant Lot  
**Proposed Use:** Two-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a two-family residence with off-street parking located in the required front yard area.

**Requested Waiver :**

**Section 15.2.3 – Parking in Front Yards**

Permitted: 0 Spaces                      Proposed: 2 Spaces                      Waiver: 2 Spaces

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**ITEM 18 – Docket Number: 043-13** **DG**  
**Applicant or Agent:** VTM Properties  
**Property Location:** 1101 Decatur Street **Zip:** 70116  
**Bounding Streets:** Decatur, Ursuline, Gov. Nicholls, & Chartres Sts.  
**Square Number:** 19 **Lot:** D  
**Zoning District:** VCC-1 Vieux Carré Commercial **ZBM:** D-14  
**Historic District:** Vieux Carré Local Historic **Planning District:** 1a  
**Existing Use:** Retail/Vacant  
**Proposed Use:** Mixed-Use Residential/Commercial

**Request Citation:** This request is for a variance from the provisions of Article 8, Section 8.4.7 (Table 8.C) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the renovation of a building into apartments with insufficient minimum lot area per dwelling unit.

**Requested Waiver:**

**Section 8.4.7 (Table 8.C) – Minimum Lot Area**

Required: 2,400 sq. ft.      Provided: 2,071 sq. ft.      Waiver: 329 sq. ft.

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**ITEM 19 – Docket Number: 044-13** **SK**  
**Applicant or Agent:** Josephus Hamilton  
**Property Location:** 2115 South Prieur Street **Zip:** 70125  
**Bounding Streets:** S. Prieur St., Jackson Ave., Johnson St., & Melpomene St.  
**Square Number:** 433 **Lot:** A  
**Zoning District:** RM-4 Multi-Family Residential **ZBM:** C-14  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Vacant Lot  
**Proposed Use:** Single-Family Residence

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.12.7 (Table 4.H) of the Comprehensive Zoning Ordinance.

**Request:**

This request is to permit the construction of a single-family residence with insufficient minimum lot area and minimum lot depth.

**Requested Waiver:**

**Section 4.12.7 (Table 4.H) – Minimum Lot Area (Single-Family)**

Required: 3,500 sq. ft.      Provided: 2,100 sq. ft.      Waiver: 1,400 sq. ft.

**Section 4.12.7 (Table 4.H) – Minimum Lot Depth (Single-Family)**

Required: 90'      Provided: 70'      Waiver: 20'

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**E. Director of Safety and Permits Decision Appeals**

**ITEM 20 – Docket Number: 045-13**

<b>Applicant or Agent:</b>	Troy McElveen	
<b>Property Location:</b>	4331 Paris Avenue	<b>Zip:</b> 70122
<b>Bounding Streets:</b>	Paris Ave., Rayne Dr., Churchill Dr. Pratt Dr., & Van Ave.	
<b>Square Number:</b>	1	<b>Lot:</b> 9
<b>Zoning District:</b>	RS-2 Single-Family Residential	<b>ZBM:</b> D-11
<b>Historic District:</b>	N/A	<b>Planning District:</b> 6
<b>Existing Use:</b>	Vacant Multi-Family Residence (4-plex)	
<b>Proposed Use:</b>	Multi-Family Residence (4-plex)	

**Request Citation:** This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

**Request:**

This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that the property has lost its legal nonconforming use as a four-plex.

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